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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

JANET GARCIA, GLADYS ZEPEDA,  
MIRIAM ZAMORA, ALI EL-BEY,  
PETER DIOCSON JR, MARQUIS  
ASHLEY, JAMES HAUGABROOK,  
individuals, KTOWN FOR ALL, an  
unincorporated association;  
ASSOCIATION FOR RESPONSIBLE  
AND EQUITABLE PUBLIC  
SPENDING, an unincorporated  
association

Plaintiff(s),

vs.

CITY OF LOS ANGELES, a municipal  
entity; DOES 1-7,  
Defendant(s).

CASE NO. 2:19-cv-06182-DSF-PLA

**DECLARATION OF PETE  
DIOCSON, JR.**

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19 *and Equitable Public Spending, and Janet Garcia.*  
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**DECLARATION OF PETE DIOCSON, JR.**

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2 1. My name is Pete Diocson Jr. I have personal knowledge of the facts  
3 contained in this declaration, and if called to testify, I could and would testify  
4 competently as to the truth of the facts in this declaration.

5 2. I am 51 years old. I was born and raised in Carson, California. I am  
6 currently homeless and living in the Harbor City area of Los Angeles. I have lived in  
7 this area for the past four or five years.

8 3. Over the past few years, I stayed in the area around the Harbor City  
9 Greenway around Lomita Blvd. Along with many of my neighbors, I used to stay in  
10 the grassy area north of Lomita Blvd, which I understand is owned by the County of  
11 Los Angeles. I stayed there for four or five years with other people in the community.

12 4. In or around 2018, government workers told us we had to leave the  
13 public greenspace. They did not tell us where else we could go or provide us any  
14 shelter options, but they told us we were not allowed to stay in that area anymore.  
15 They fenced off the area and put up no trespassing sign to keep us out. After we were  
16 removed from the area, I moved with my neighbors to McCoy, which is a narrow  
17 street just west of Vermont Blvd. Many of us lived there for a couple of months, until  
18 we were forced to move again. This has happened every couple of months—they  
19 move us from one location, but do not tell us where we should go instead.

20 5. Currently, I stay around the Lomita and McCoy area in Harbor City.  
21 There are a lot of people who stay in the area. I know the people who stay in the area,  
22 and there are also a number of people in the community who come to the area to bring  
23 us food and help us out with the things we need to survive. Sometimes people also  
24 dump their trash in the area.

25 6. I stay in the area with my dog, Bella. I have had Bella for two and a half  
26 years. Bella is extremely important to me. She keeps me company. It's good to have  
27 someone, and I don't have anyone else.  
28

1           7.     In April 2019, I had a black wire kennel for Bella to sleep in. A housed  
2 neighbor who sometimes brings us things we need had met Bella and gave me the  
3 kennel. Having the kennel was great. It gave me peace of mind and made it possible  
4 to keep her with me while I was sleeping in my tent, because I was sure she would not  
5 run away or bother anyone on the block.

6           8.     On the morning of April 24, 2019, I was staying on Lomita and McCoy  
7 in Harbor City where I slept. That morning, police officers with the Los Angeles  
8 Police Department and workers driving a trash truck came to the area where we were  
9 all staying to do a sweep. I knew about the sweep because there were posted notices  
10 on the street, stating that a cleanup would happen. I have experienced these sweeps  
11 before, so I knew I needed to pack up my belongings and move them out of the way  
12 when they told us to move.

13          9.     Because I knew the sweep would be happening that morning and I  
14 needed to be able to pack up my belongings, I moved Bella out of the area so I could  
15 pack up my belongings without worrying about her.

16          10.    When the city workers and cops arrived that morning, I was already  
17 packing up my belongings to move them out of the way. I had packed up my tent, my  
18 clothes, and my other belongings, and stacked them on Bella's kennel.

19          11.    I was getting ready to move my belongings from the area when Officer  
20 Lopez came up to me. Officer Lopez is an officer with the Los Angeles Police  
21 Department. I know Officer Lopez because he frequently is in the area around where  
22 I stay.

23          12.    Officer Lopez told me that I could not take Bella's kennel with me. He  
24 told me that it was a bulky item and it was too big, so I wasn't allowed to keep it. I  
25 did not agree with him, but I did not want to challenge him. I am on probation, and I  
26 was afraid that if I argued with him, I would be arrested. I have seen other people  
27 arrested when they disagree with the police. If I got arrested, I was worried about  
28 what would happen to my belongings and to Bella. I left Bella's kennel behind and

1 moved the rest of my belongings out of the area. A true and correct copy of a photo of  
2 Bella's kennel is attached as Exhibit A.

3 13. After I left my kennel behind, I moved around the corner with rest of my  
4 neighbors and waited for the sanitation workers and police to finish cleaning. I have  
5 seen cleanups before, and I recognized the same type of trucks that LA Sanitation had  
6 used in previous cleanups. After they finished cleaning up the area, I went back to the  
7 location where I had left the kennel but it was no longer there.

8 14. After the kennel was taken, a neighbor gave me a new kennel for Bella.  
9 Attached as Exhibit B is a photo of Bella's second kennel. I was present when the  
10 photo was taken, and it is is a true and accurate representation of the new kennel.

11 15. After receiving this second kennel, I remained worried that this new  
12 kennel would also be taken and destroyed. I was right. In late 2019, during another  
13 clean up, LA Sanitation took my second kennel and destroyed it.

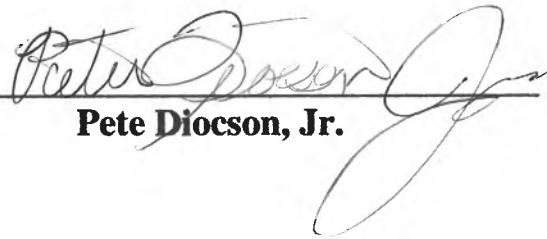
14 16. Since then, I have not wanted to try to get another kennel because the  
15 City keeps taking them and throwing them away, even though I don't think they are  
16 bulky items. The City throws away a lot of things, including a lot of items they say  
17 are bulky, even though I don't think are against the law. I have no way to challenge  
18 their decisions. I can't even really argue with them because I worry I will get arrested.

19 17. Right now, I have a bin that I use to store my belongings and to keep  
20 them dry. I worry that the City will consider this a bulky item. In the past, when city  
21 workers have come to my property, they have taken away bikes parts, bins the same  
22 size as this one, and other items about that size. When they have taken them away,  
23 they have told me they are bulky items and that's why they are taking them and  
24 throwing them away. A true and correct photo of these items is attached as Exhibit C.

25 18. When I do not have a kennel for Bella, I worry she will get loose during  
26 the night and run into traffic. It is hard for me to sleep because I did not have the  
27 peace of mind that Bella is secure. This makes my anxiety worse and the lack of sleep  
28 makes everything harder.

1           19. I try to follow the rules, but it feels like every time the City does a sweep  
2 I lose something else. The sweeps and the loss of property makes it even harder for  
3 me to be homeless, knowing that I can lose items at any time.

4  
5  
6           I declare under penalty of perjury that the foregoing is true and correct.  
7 Executed on February 25, 2020 in Los Angeles, California

8  
9             
10           Pete Diocson, Jr.

# EXHIBIT A





CTY002038



# EXHIBIT B



# EXHIBIT C



